

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In re: Jashona Montika Byrd, Debtor)
)

Case No. 20-31759-KRH
Chapter 13

OBJECTION TO CONFIRMATION

COMES NOW Elizabeth C. Brogan, Counsel for Suzanne E. Wade, Chapter 13 Trustee, and moves this Court to deny confirmation of the Chapter 13 Plan (the “Plan”) dated April 28, 2020, for the cause as follows:

1. The Debtor filed this Chapter 13 Petition, now pending in the United States Bankruptcy Court, Eastern District of Virginia, Richmond Division, on March 31, 2020 under 11 U.S.C. Chapter 13.
2. This Objection is filed pursuant to 11 U.S.C. § 1325(a)(4) and (a)(9).
3. The above-filed Chapter 13 case is not eligible for confirmation due to the Debtor’s failure to describe the value of her ownership interest in personal property. Particularly, the Debtor has failed to accurately describe the value of her ownership interest in two vehicles, described in Schedule A/B as 2008 Honda Accord, and a 2010 Nissan Maxima. Schedule A/B further states both vehicles are worth \$0.00. The Trustee would suggest this valuation is incorrect, and requests the Debtor file an amended Schedule A/B accurately reflecting the vehicles’ value.
4. In addition, the Debtor has failed to provide proof of filing all required tax returns pursuant to 11 U.S.C. §1308 and §1325(a)(9). The Trustee requests the Debtor forward copies of her state and federal individual income tax returns for the 2018 tax year, or, if available, the 2019 tax year.

WHEREFORE, for the reasons stated herein, the Chapter 13 Trustee, by Counsel, respectfully moves the Court to deny confirmation of the Debtor’s proposed Chapter 13 Plan, and for such further and other relief as the Court deems necessary.

Date: June 11, 2020

/s/ Elizabeth C. Brogan
Elizabeth C. Brogan, Counsel for
Suzanne E. Wade, Chapter 13 Trustee

Elizabeth C. Brogan
Counsel for Suzanne E. Wade, Chapter 13 Trustee
Virginia State Bar Number 76539
7202 Glen Forest Drive, Suite 202
Richmond, Virginia 23226
(804) 775-0979

CERTIFICATE OF SERVICE

I hereby certify a true copy of the foregoing OBJECTION TO CONFIRMATION was served electronically or by first-class mail, postage prepaid, this 11th day of June, 2020, upon the following parties:

Jashona Montika Byrd
2718 Martingale Road, Apt. J
Colonial Heights, VA 23834

Suad Bektic, Scott Wilder Carpenter; Counsel for Debtor
New Day Legal, PLLC
98 Alexandria Pike, Suite 10
Warrenton, VA 20186
sbektic@newdaylegal.com
scott@newdaylegal.com

/s/ Elizabeth C. Brogan
Elizabeth C. Brogan, Counsel for
Suzanne E. Wade, Chapter 13 Trustee

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Counsel for Suzanne E. Wade, Chapter 13 Trustee
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In re: Jashona Montika Byrd, Debtor)

2718 Martingale Road, Apt. J)
Colonial Heights, VA 23834)

XXX-XX-1284)

Case No. 20-31759-KRH
Chapter 13

NOTICE OF OBJECTION TO CONFIRMATION

Elizabeth C. Brogan, Counsel for Suzanne E. Wade, Chapter 13 Trustee, has filed papers with the Court objecting to the confirmation of your Chapter 13 Plan dated April 28, 2020.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to grant the relief sought in the Objection, or if you want the Court to consider your views on the Objection, then on or before three (3) days before the date of the hearing, you or your attorney must:

X File with the Court, at the address shown below, a written response pursuant to Local Bankruptcy Rule 9013-1(H). If you mail your response to the Court for filing, you must mail it early enough that the Court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 East Broad Street, Suite 4000
Richmond, Virginia 23219

You must also mail a copy to:

Elizabeth C. Brogan
Counsel for Suzanne E. Wade, Chapter 13 Trustee
7202 Glen Forest Drive, Suite 202
Richmond, Virginia 23226

X Attend the hearing on the Objection, scheduled to be held on **July 1, 2020** at **11:10 a.m.** at **United States Bankruptcy Court, 701 East Broad Street, Room 5000, Richmond, VA 23219.**

Elizabeth C. Brogan
Counsel for Suzanne E. Wade, Chapter 13 Trustee
Virginia State Bar Number 76539
7202 Glen Forest Drive, Suite 202
Richmond, Virginia 23226
(804) 775-0979

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Objection, and may enter an order granting that relief.

Date: June 11, 2020

/s/ Elizabeth C. Brogan

Elizabeth C. Brogan, Counsel for
Suzanne E. Wade, Chapter 13 Trustee

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/s/ Elizabeth C. Brogan

Elizabeth C. Brogan, Counsel for
Suzanne E. Wade, Chapter 13 Trustee

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